

# EXHIBIT 6

## Former Ventura neurosurgeon faces 16 lawsuits

By Tom Kisker

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A neurosurgeon who operated in Ventura for 17 months faces at least 16 lawsuits from patients alleging misplaced screws in spinal fusions, post-operation infections and botched brain surgery.

The patients say Dr. Aria Omar Sabit misrepresented surgical results, chose inappropriate medical procedures and operated in an unsanitary manner that led to infections. They say Sabit made so many mistakes in such a short period of time that Community Memorial Hospital in Ventura and Ventura County Neurosurgical Associates Medical Group should have intervened long before the medical group reportedly fired him in December 2010.

"I spent a year in pain and bent over," said Guanda Dusette, 71, of Oxnard, describing the results of her spinal fusion surgery in July 2010. "Community Memorial was aware that this guy was having problems. They should have pulled his right to operate."

Sabit, who now practices in eastern Michigan, said his attorney has told him not to talk, but he briefly addressed the allegations.

"They are all absolutely false," he said.

The allegations triggered "no comments" and unreturned phone calls from people in the medical community, plaintiffs and others. Many of the lawsuits were filed late last year, and one case was voluntarily withdrawn in January because of concerns about the one-year statute of limitations.

Lawyers called the volume of cases unusual.

"It's incredible — just that there are so many people who have had so many similar issues arise with their injuries," said Marc Anderson, an Oxnard attorney who represents patients in six suits. "He made a lot of people mad because he was sold to everyone as this kind of wonder kid. Now all these people are seeing each other at physical therapy, and they're kind of sharing notes."

Others say the allegations are just that, adding that no judgments have been made against Sabit or Community Memorial.

"There's a big difference between allegations in an unverified complaint and what facts are ultimately proved or provable at the time of trial," said Andrew Covner, an attorney representing Ventura County Neurosurgical Associates and Dr. Moustapha Abou-Samra, the partner in the group who is said to have employed Sabit.

Community Memorial officials said they initiated an ongoing investigation by the Medical Board of California, which regulates physicians. Hospital CEO Gary Wilde said all of the lawsuits were filed after Sabit left the hospital in late 2010.

Wilde declined to specify any actions taken involving Sabit, citing laws that limit the release of information about patients or doctors. But he said the hospital, targeted in several of the lawsuits, would defend itself.

"The hospital acted very appropriately within our medical staff guidelines," he said. "The Medical Board will verify that."

Attorneys representing Sabit are fighting to block the patients from seeing hospital correspondence involving staff privileges and credentials for the doctor. Court documents filed for Sabit in a separate case say he was denied permanent privileges at the hospital and that his provisional privileges were suspended on Dec. 3, 2010, and restored four days later.

Sabit's attorney said in the document that the doctor was fired by the neurosurgical group at the same time, with the group citing his lack of full privileges at the hospital.

Abou-Samra, a leader of the medical group who is targeted in many of the lawsuits, declined to comment on the case.

But patients and their attorneys say the hospital and medical group should have done more.

"It's almost like the 'begats' in the Bible," said lawyer Glenn Campbell of Ventura, referring to the number of lawsuits. "There are a lot of issues with this fellow, not the least of which is how he was able to do this in such a short period of time. He was only here 18 months."

In court records, Sabit denies every allegation in every lawsuit. In a lawsuit he filed against Abou-Samra and then withdrew, Sabit's attorney says he earned a reputation as a go-to physician in Ventura. According to the document, Sabit was given some of the more difficult procedures performed at the hospital and had brought the medical group about \$3 million in business by the end of 2010.

Sabit comes from Afghanistan, where his father was attorney general, according to a 2010 story in the Times Union in Albany, N.Y. The Soviet invasion in the early 1980s drove the family to a Pakistani refugee camp. On the 200-mile journey, they hid in caves.

From Pakistan, the family came to the United States, first to Albany and then Washington, D.C., according to the Times Union. Sabit got his medical degree at Virginia Commonwealth University in 2002 and completed his neurosurgery training in New Jersey in 2009. He was licensed as a doctor in 2005 in New Jersey, where the state attorney general's office reported no medical violations involving him.

California Medical Board representatives would not confirm or deny reports of an investigation involving Sabit but said no action had been taken against him since he was licensed here in 2009. An official from the Michigan Bureau of Health Professions,

which regulates doctors in that state, also reported no formal complaints filed against Sabit.

Some complaints in the lawsuits allege spinal fusion surgeries left screws misplaced or protruding into the spinal canal. One litigant says Sabit told him about a minimally invasive surgery but performed a different procedure, leading to a follow-up operation, constant pain and an inability to work or play catch with his child. Another patient accuses Sabit of telling her he removed a tumor from within her skull when postoperative tests showed the mass was the same.

Dusette says the screws used to fuse her spine fell out. The pain caused her to take painkillers around the clock and led to a second surgery, at Cedars-Sinai Medical Center in Los Angeles, she said.

She blames the doctor but also Community Memorial, scoffing at its insistence that it took appropriate measures.

"They didn't stop him from doing it," she said. "That's appropriate measures."



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